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May 15, 2017

BY ECF:

Honorable Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Percoco, et al., S1 16 Cr. 776 (VEC)

Dear Judge Caproni:

We respectfully submit this letter on behalf of Peter G. Kelly, Jr., in the above matter to request a one day extension—from May 18 to May 19—of the date on which the defense motions are due. We have conferred with codefendants and the Government, and all consent to this schedule. If the Court grants our request, the Government asks for an additional day to submit its opposition papers—from June 29 to June 30.

The short adjournment is necessary because the Government obtained a Superseding Indictment only one week before motions were due—on Thursday of last week—that alters the conspiracy count charged against Mr. Kelly and impacts the motions we intend to file. We have had to spend significant time redrafting our motions to properly address the Superseding Indictment and require an extra day to finalize those motions.

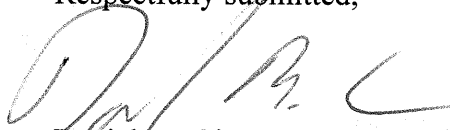
Despite the meaningful reworking that we must now complete on the motions, we are only asking for a one-day adjournment, so that our motions will be due on May 19, 2017.

We thank the Court in advance for its consideration of this application.

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Respectfully submitted,



Daniel M. Gitner

CC:

All Counsel (by ECF)